

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

NOBLE C. FIELDS,

Plaintiff,

VS.

OLLIE MAMIE GILLENS,

Defendant.

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Civil Action No. 3:10-CV-1546-D

**ORDER OF RE-REFERENCE**

On November 3, 2010 the United States Magistrate Judge filed her findings, conclusions, and recommendation in which she recommends that this action be dismissed without prejudice for want of prosecution. On November 23, 2010 plaintiff filed a motion for abeyance in which he requests that the court abate the dismissal of the case so that he can investigate why the court has not received the documents on which the magistrate judge's recommendation is based.

Accordingly, considering plaintiff's response to the magistrate judge's findings, conclusions, and recommendation, the court re-refers this case to the magistrate judge for further proceedings and declines to adopt the November 3, 2010 findings, conclusions, and recommendation.

**SO ORDERED.**

November 29, 2010.

  
SIDNEY A. FITZWATER  
CHIEF JUDGE